



US Army Corps
of Engineers
St Paul District

APPLICANT: Richard S.
Carlson &
Associates

Public Notice

ISSUED: May 10, 2003
EXPIRES: June 9, 2003

REFER TO: 03-05056-TJF

SECTION: 404 - Clean Water Act

1. APPLICATION FOR PERMIT TO discharge dredged and fill material into several unnamed wetlands during the construction of a residential development in the City of Centerville, referred to as Hunter's Crossing, 2nd Addition. About 70 single family lots would be created.

2. SPECIFIC INFORMATION.

APPLICANT'S ADDRESS: 7671 Central Avenue NE
Fridley, MN 55432

AGENT: Tedd Mattke
Mattke Surveying and Engineering
7671 Central Avenue NE
Fridley, MN 55432
(763) 783-0300

PROJECT LOCATION: The project site is located in the SW 1/4 Sec. 23, NW 1/4 Sec 26, T. 31N., R. 22W., Anoka County, Minnesota. The approximate UTM coordinates are Zone 15, North 4999700, East 495300.

DESCRIPTION OF PROJECT: The project involves filling, grading and excavating within several wetlands that have been identified on the site. Filling would occur primarily to create house pad areas and slopes for proposed ponding areas and a trail system along the north property boundary. Grading and excavating would also occur in wetlands to create storm water management ponds.

WETLAND VEGETATION IN AFFECTED AREA: A wetland delineation identified 9 wetland areas on, or along the periphery of the site. According to the report portions of many of the basins were cropped, as evidenced by soybean stubble from the last growing season. Most basins were dominated by reed canary grass, with areas of scattered willow saplings. Shrub brush wetlands were located along the west and southern property boundaries. It is estimated that a total of about 5.6 acres of wetland was identified on the site.

PROJECT IMPACTS: The proposed grading plan indicates that all of the wetlands on the site would be impacted to some extent. The direct wetland impacts associated with filling, grading and drainage appear to be about 1.2 acres. The plan also indicates that excavation would occur in the remaining wetland areas on the site.

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This would amount to about 4.4 acres of wetland excavation. The applicant indicated that the resultant water depths in all of the excavation areas would be less than 6 feet. The purpose of the excavation is to acquire fill material, provide on site drainage and to ensure future hydrology for the existing wetlands and the proposed new wetland areas.

SURROUNDING LAND USE: Similar residential development has been constructed to the north. Large light industrial lots have been created east of Centerville Road.

MITIGATION: The applicant has proposed that new wetland and upland buffer areas be created around several of the wetlands on the site. It is estimated that a total of about 2.1 acres of new wetland would be created on site. In addition, 0.5 acre of upland buffer would be established in narrow areas around some of the wetlands. Also, a detention pond would be constructed in the central portion of the site.

ALTERNATIVES: The applicant indicated that because of land values, high taxes, availability of city sewer and water and the surrounding land use, the proposed change in land use from agricultural to residential is compatible with city plans. The applicant considered different house styles and densities, such as 2-story, with basement versus slab and grade and single family versus townhomes. It was decided that the proposed single family, 2 story homes were the most practicable and economically feasible plan.

The designed road system is somewhat dictated by the need to align the roads with existing roads on adjacent properties, and to intersect with Centerville Road across from the existing Dupre Road.

3. REPLIES/COMMENTS.

Interested parties are invited to submit to this office written facts, arguments, or objections within 30 days of the date of this notice. These statements should bear upon the suitability of the location and the adequacy of the project and should, if appropriate, suggest any changes believed to be desirable. Comments received may be forwarded to the applicant.

Replies may be addressed to Regulatory Branch, St. Paul District, Corps of Engineers, 190 Fifth Street East, Saint Paul, MN 55101-1638.

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Timothy J. Fell at the St. Paul office of the Corps, telephone number (651) 290-5360.

4. FEDERALLY-LISTED THREATENED OR ENDANGERED WILDLIFE OR PLANTS OR THEIR CRITICAL HABITAT.

None were identified by the applicant or are known to exist in the permit area. However, Anoka County is within the known or historic range of the following Federally-listed threatened (T) and endangered (E) species:

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<u>Species</u>	<u>Habitat</u>
Bald eagle (T)	Breeding
Karner blue butterfly (E)	Savannas with wild lupine

This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments it may have concerning Federally-listed threatened or endangered wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

5. JURISDICTION.

This project comes under the regulatory jurisdiction of the Corps of Engineers because the unnamed wetlands on the site being impacted are adjacent to existing ditches that flow to Rice Creek, which is tributary to the Mississippi River, a navigable water of the United States.

REGULATORY AUTHORITY: This application will be reviewed according to the provisions of Section 404 of the Clean Water Act. Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 Code of Federal Regulations 230).

THE APPLICANT HAS STATED THAT THE FOLLOWING STATE, COUNTY, AND/OR LOCAL PERMITS HAVE BEEN APPLIED FOR/ISSUED: Rice Creek Watershed District; Minnesota Pollution Control Agency

6. STATE SECTION 401 WATER QUALITY CERTIFICATION.

Valid Section 404 permits cannot be issued for any activity unless state water quality certification for the activity is granted or waived pursuant to Section 401 of the Clean Water Act. The state Section 401 authority in Minnesota is the Minnesota Pollution Control Agency (MPCA). The St. Paul District has provided this public notice and a copy of the applicant's Section 404 permit application form to the MPCA. If MPCA needs any additional information in order for the Section 401 application to be considered complete by MPCA, the MPCA has indicated that it will request such information from the applicant. It is the permit applicant's responsibility to ensure that the MPCA has received a valid, complete application for state Section 401 certification and to obtain a final Section 401 action from the MPCA.

The MPCA has indicated that this public notice serves as its public notice of the application for Section 401 water quality certification under Minnesota Rules Part 7001. The MPCA has also indicated that the Section 401 process shall begin to commence upon the issuance date of this public notice unless the MPCA notifies both the St. Paul District and the permit applicant to the contrary, in writing, before the expiration date of this public notice.

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The MPCA has eliminated the staffing resources for the Section 401 certification program due to budgetary limitations. Due to staff reductions, MPCA is intending to waive many section 401 certification applications with limited exceptions but the MPCA reserves the right and authority to proceed differently if extreme or unique circumstances merit a different approach. In many cases, the waiver of 401 certification means that the MPCA has not reviewed federally permitted projects in detail for conformance with state water quality standards nor has the MPCA made a determination of the proposal's compliance with state water quality standards. This waiver action, however, will not exempt the applicant from the responsibility of complying with all applicable water quality standards and requirements as contained in Minn. R. ch. 7050 and all other applicable state rules regarding water quality. The applicant will need to make a self-determination of water quality compliance of their proposal. In the event of water quality violations caused by the applicant's project, enforcement action may be taken by the MPCA.

Any comments relative to MPCA's intention to waive Section 401 Certification for the activity proposed in this public notice may be sent to:

Minnesota Pollution Control Agency
Regional Environmental Management Division
Attention 401 Certification
520 Lafayette Road, North
St. Paul, Minnesota 55155-4194

7. HISTORICAL/ARCHAEOLOGICAL.

This public notice is being sent to the National Park Service, the State Archaeologist, and the State Historic Preservation Officer to determine if there are known cultural resources which may be affected by the described work. Any unknown archaeological, scientific, or historical data could be lost or destroyed by the work described in the permit application. However, the latest version of the National Register of Historic Places has been consulted and no listed properties (known to be eligible for inclusion, or included in the Register) are located in the project area.

8. PUBLIC HEARING REQUESTS.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, in detail, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided or if there is otherwise no valid interest to be served.

9. PUBLIC INTEREST REVIEW.

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The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. Environmental and other documents will be available for review in the St. Paul District Office.

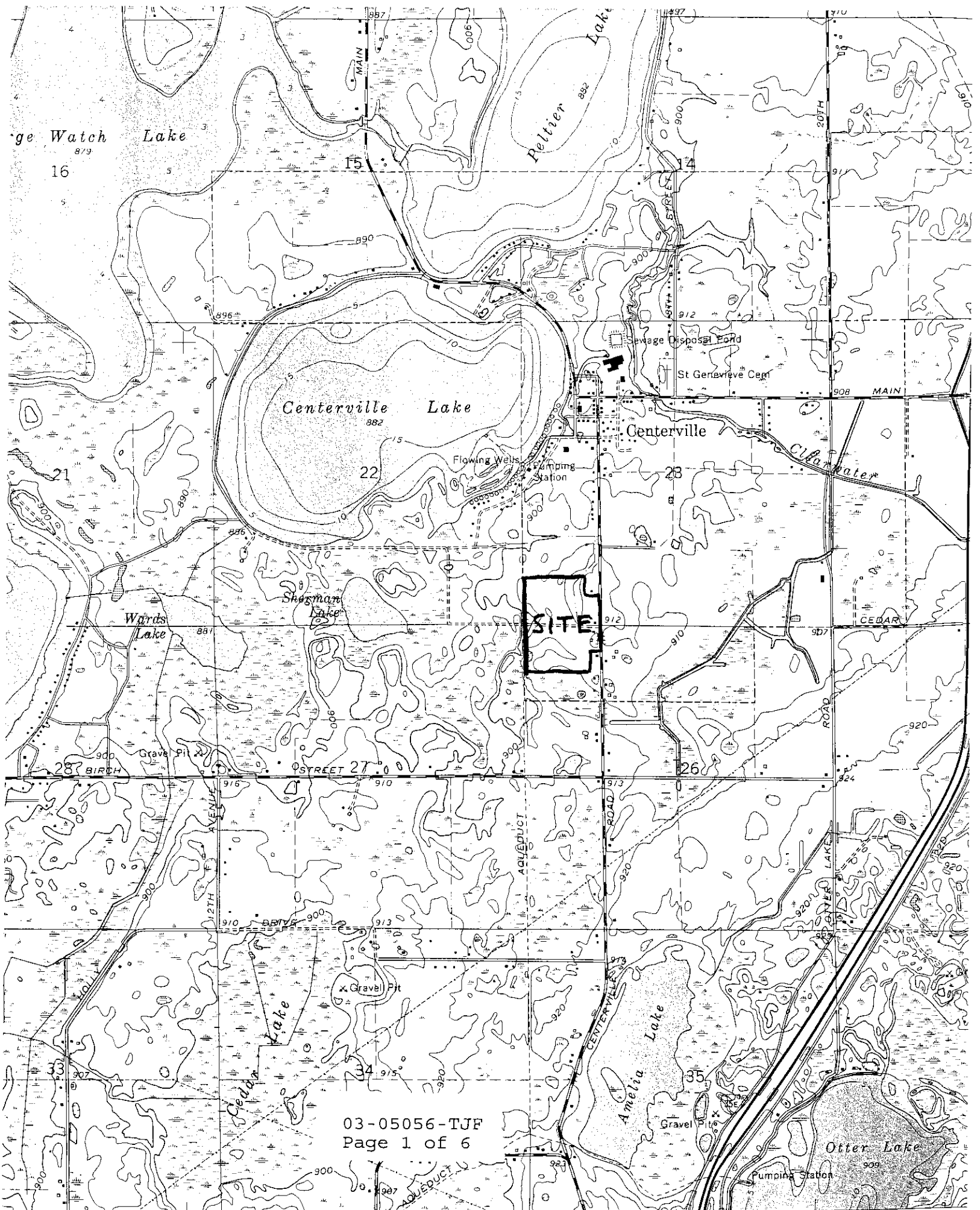
The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.



Ralph J. Augustin
Chief, Metro Permit Section

Enclosures

NOTICE TO EDITORS: This public notice is provided as background information and is not a request or contract for publication.



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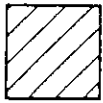
(WHITE BEAR LAKE WEST)
7374 II SE

6 MI. TO INTERSTATE 694
ST. PAUL (CAPITOL) 13 MI.

w/ 8" Pipe from Stub at
Beaver Pond Way

912.5 Spot Elevation

Entrance



Existing Wetlands



Wetland Destruction by Filling (21,084 SF)



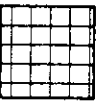
Wetland Destruction by Drainage (34,121 SF)



New Wetland Credits (89620 SF)



Wetland Buffers (23,982 SF)



Detention Pond (for PVC Credit) (70,264 SF)

ction

Note: No Pond or Wetland is Deeper than 6 feet.

Wetland Destruction/Mitigation Totals

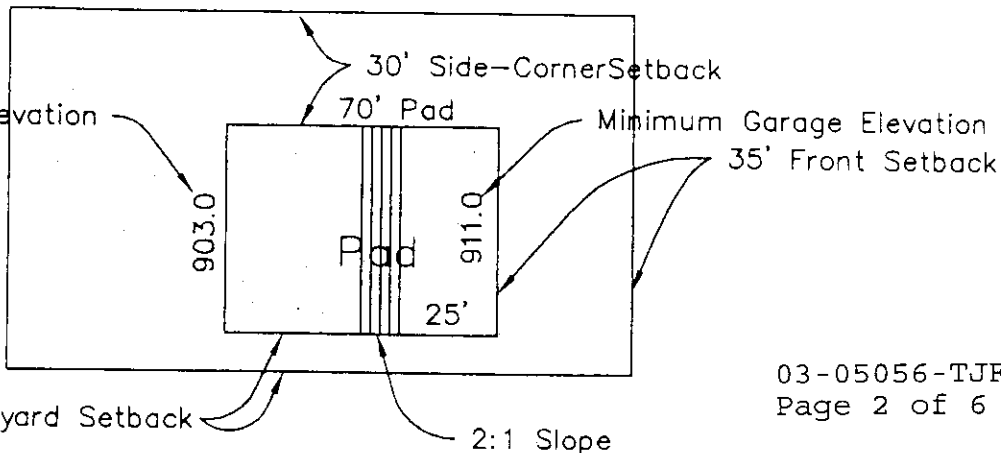
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55,215 SF Wetland Destruction (Includes 5,810 SF
Wetland Turned to Buffer by Trail)

89,620 SF Wetland Mitigation Provided
55,215 SF Wetland Mitigation Proposed
34,405 SF Wetland Mitigation Banking Proposed

94,246 SF Wetland Buffer Provided
55,215 SF Wetland Buffer Proposed
39,031 SF Wetland Buffer Banking Proposed

um Walkout Elevation



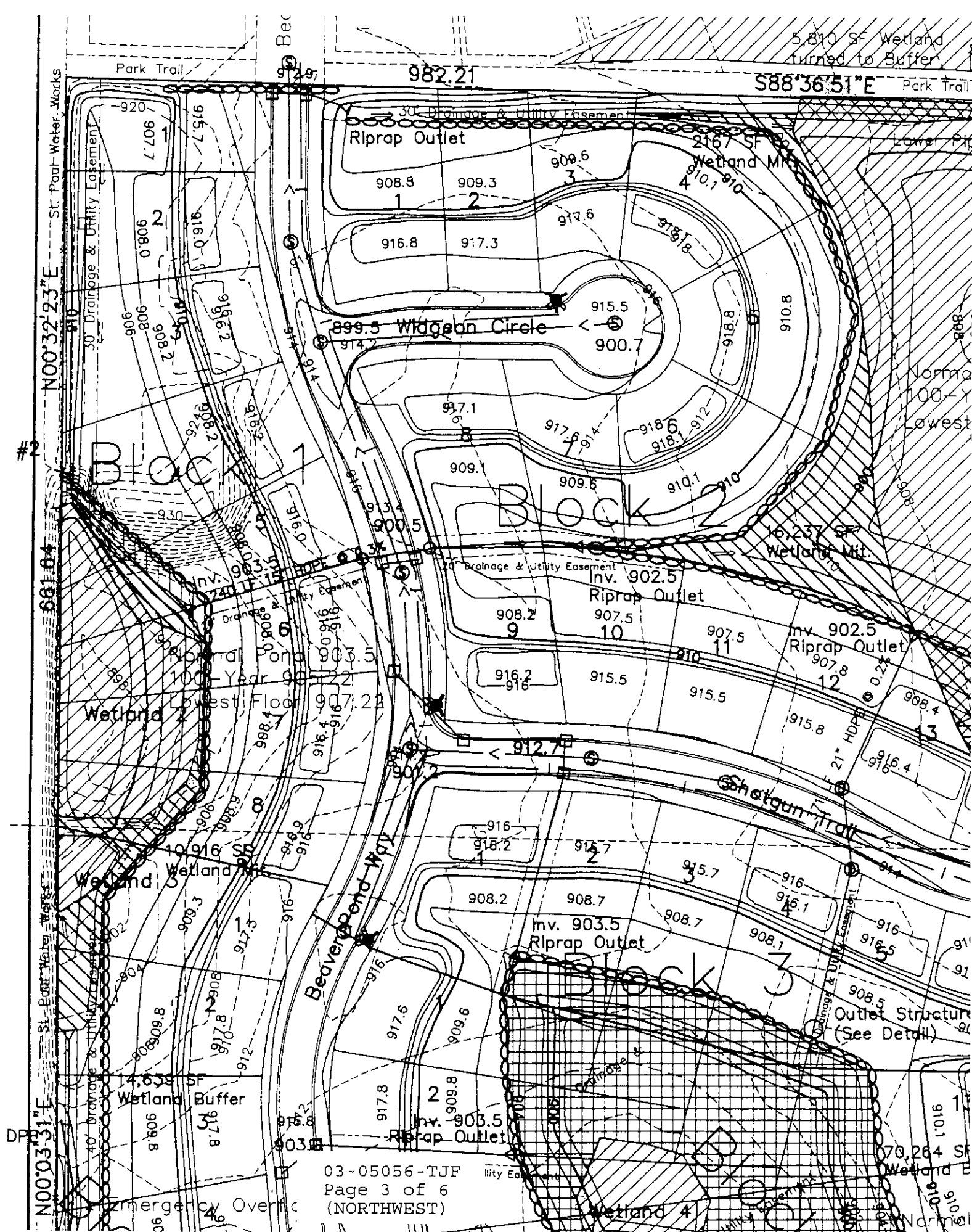
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Notes:

All Lots are Full-Basement Walkouts
Holddown is 1.0 Feet

Impleme
Install S
Comme
Strip an
Comple
Spread
with
Maintain

Deveget



Dark Trail	Existing 54 LF 15" CMP @ 7.59%
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~~Power Pipe to Invert 902.5~~

208.72 /
S00°32'50"W

Thomas Wilharber

Centerville Road

308.73 S88°36'51"E

Normal Flood 902.50
100-Year 904.04
Lowest Floor 906.1

Trail
12,322 SF
Wetland Mit

Wetland 1

Wetland 7

~~25,828 SF
Wetland Mit.~~

PHOTO #1

728 SF Wetland Destruction

906 Riprap Outlet

907.0

907.8

18

Inv. 902.5

- Rock Construction Entrance

Dupre Road

PHOTO #5
Inv. 905.0

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(NORTHEAST)

10,652 SF Wetland Destruction
(Drained)

3,803 SF Wetland Buffer
13,481 SF Wetland Mitigation

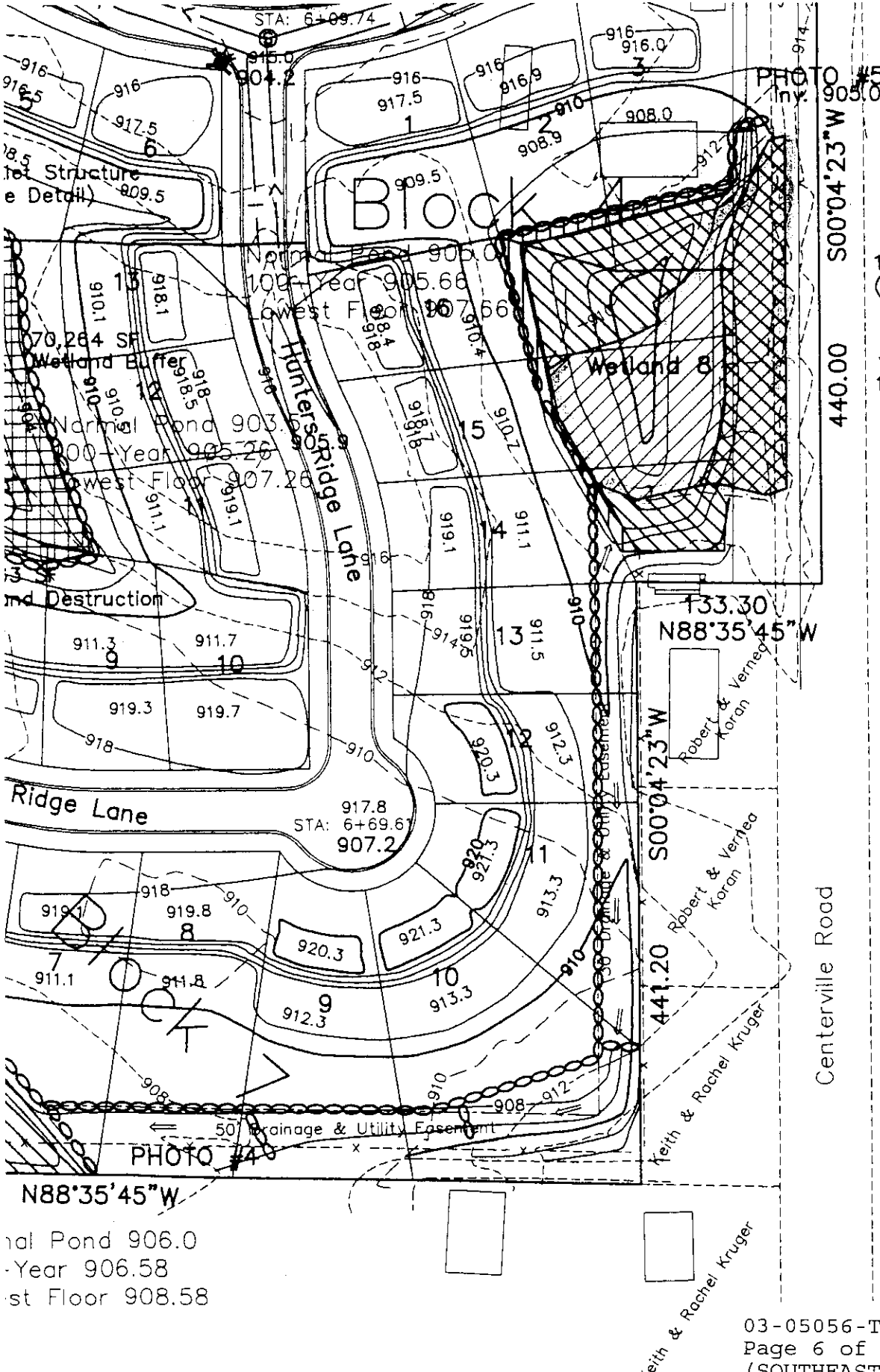
440.00 S00°04'23"W 90
453.33 S00°32'50"W 90

Block

structure
oil) 809.5

264 SF

Warmel Pond 903.



10,652 SF Wetland Destruction
(Drained)

3,803 SF Wetland Buffer

13,481 SF Wetland Mitigation

Minimum

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(SOUTHEAST)

I hereby certify that this plan, specification,

ADDITIONS / REVISIONS